

No. 17-20307

(Docket 4115-cr-00483-1)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
FILED

MAR 18 2021

United States District Court
Southern District of Texas

NATHAN OCHSNER pg. 1
CLERK OF COURT

James Patrick Burke - movant / appellant

v.

U.S.A - respondent / appellee

Pro-se litigant (incarcerated) request for update
regarding Motion under 28 U.S.C. § 2255.

I, James Patrick Burke, would like to request an update regarding my Motion under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence By A Person in Federal Custody (post-conviction relief). As movant in matter my last request for update and/or status of motion was on or about ^{BOP - by legal mail} January 7, 2021. Although this was just over two (2) months ago, I have not received any correspondence from court since on or about March 13, 2020; approximately one year ago. Said correspondence was from David J. Bradley, Clerk of Court, which included ^{-from last address - Brownsville, Tx U.S. Courthouse} filing history of case, as well as copy of my request at time (filed by clerk on March 9, 2020). I believe I requested updates in June of 2020, in addition to the January 2021 request (no reply from court). Understandably these requests occurred during the height of the pandemic, and movant is aware of hardships / delays facing court, but it has been over...

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continued... twenty (20) months since movant filed (timely) 28 U.S.C.

§ 2255 motion. Movant does not know if motion was ever forwarded to judge in case (Honorable Alfred H. Barnett), but is aware his (movant) expected release date is less than two (2) years away (February 2023 - with good time - but not including any halfway house that could reduce incarceration further). Movant does understand there is no set timeframe for 28 U.S.C. § 2255 motion's to be "promptly" forwarded to judge for examination, especially during covid-19 pandemic, but is concerned his (movant) motion will not be examined before release and then dismissed as "moot". Although movant is biased regarding motion, he does feel there were multiple grounds presented in motion that, at the very least, warranted review and/or possible relief. I, as movant, do apologize if the court feels my request(s) are a burden, but as an incarcerated pro-se (indigent) inmate ^{no "personal" income} I have no other means to acquire information regarding my case/motion. If the court could please provide an update ~~to~~^{on} my motion status (Has judge examined?). the movant would be grateful. In addition ~~are~~^{if} there ^{are} any other materials, steps (for movant to take), or the like the movant could provide to assist the court in the matter don't hesitate to ask. Thank You. The information provided by movant, James Patrick Burke, is true to the best of his knowledge.

signed: James P. Burke

JPB/L

14 MAR 2021

NAME James Burke

REC # 93973-379

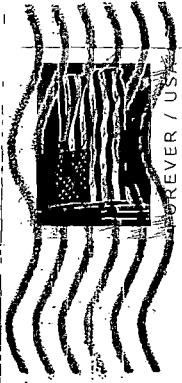
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P O Box 10

Lisbon, Ohio 44432

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United States District Court
Southern District of Texas

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RECEIVED

Nathan Ochsner, Clerk of Court

Attn: Clerk of Court District Court
United States District of Texas
Southern District of Texas
Reynaldo G. Garza - Filimon B. Vela
United States Courthouse
600 E. Harrison Street #101
Brownsville, Texas 78520-7114

78520-727325

